

Message Text

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PAGE 01 STATE 203595
ORIGIN SCS-06

INFO OCT-01 AF-10 ISO-00 CA-01 L-03 ABF-01 /022 R

DRAFTED BY CA/SCS/SJTUCKER/MAG
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L/CA - R. HENDERSON (IN DRAFT)
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FM SECSTATE WASHDC
TO AMEMBASSY KINSHASA PRIORITY

UNCLAS STATE 203595

E.O. 11652: N/A

TAGS: CPRS

SUBJECT: ESTATE OF GERARD MAIGNAN

REF: KINSHASA 6184 AND PREVIOUS

1. DEPT APPRECIATES POST'S CONCERN TO PROTECT THE INTER-EST OF AMCITS IN CONNECTION WITH ESTATE CASE OF GERARD MAIGNAN, BUT MUST INSIST THAT POST COMPLY WITH SECTIONS 422.4, 445.1-3 AND 445.8-2 OF 7FAM IN SUCH CASES. CONOFFS HAVE NO RPT NO STATUTORY AUTHORITY TO ACCEPT, CONVERT AND TRANSFER FUNDS OTHER THAN FOR OFFICIAL USG PURPOSES. NO EXCEPTION CAN BE MADE FOR CASE IN QUESTION AS CONVERSION OF ESTATE MONEY IS A PRIVATE MATTER.

2. IF LOCAL AUTHORITIES WILL NOT ALLOW LOCAL ATTORNEY FOR MAIGNAN'S HEIRS TO CONVERT AND TRANSFER FUNDS TO U.S., IT APPEARS THAT THEIR ONLY ALTERNATIVE IS TO USE FUNDS WITHIN ZAIRE.

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3. AS POST MAY BE AWARE, MANY COUNTRIES HAVE SIMILAR PROHIBITIONS AGAINST SENDING CURRENCY ABROAD IN SUCH CASES, FUNDS ARE GENERALLY MADE AVAILABLE TO RECIPIENTS AND/OR THEIR IMMEDIATE RELATIVES FOR USE LOCALLY. VANCE

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